

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In Re:

David Lester Warfel Jr.,
Jeanne Marie Warfel

Case No. 20-11651-13

Debtors.

OBJECTION TO MOTION TO DISMISS

Debtors, David Lester Warfel Jr. and Jeanne Marie Warfel, by their attorneys at Goyke, Tillisch and Martell, LLP and Krekeler Law, S.C., hereby object to the Chapter 13 Trustee's Motion to Dismiss. The grounds for this objection are:

1. The Debtors are working to cure the amount in default of \$22,035.93 in addition to the monthly plan payment in the amount of \$5,509.10, or in the alternative, modify their Chapter 13 Plan.
2. The Debtors are working to secure refinancing for their home and are working to negotiate a settlement amount for the 21st Mortgage claim. The Chapter 13 Plan, as drafted, includes 21st Mortgage's secured claim of over \$131,000, despite the perfection of this claim having been successfully challenged in recent litigation. Between the refinancing, settlement and reduction of claim amount, modification of the Chapter 13 Plan would result in lower monthly payments and the Debtors are hopeful to remain in Chapter 13 to complete their plan.

The Debtors request a hearing on the Motion.

Dated this 27th day of June, 2023.

KREKELER LAW, S.C.

By: /s/ Noe J. Rincon
Noe J. Rincon
State Bar No. 1124893
Attorneys for Debtors,
David Lester Warfel Jr. and
Jeanne Marie Warfel

ADDRESS
26 Schroeder Ct., Suite 300
Madison, WI 53711
(608) 258-8555 / (608) 258-8299 (fax)
nrincon@ks-lawfirm.com

GOYKE, TILLISCH & MARTELL, LLP

By: /s/ George B. Goyke

George B. Goyke

State Bar No. 1001340

Attorneys for the Debtors,

David Lester Warfel Jr. and

Jeanne Marie Warfel

ADDRESS

2100 Stewart Ave.

Suite 140

Wausau, WI 54401

(715) 849-8100

goyke@grandlawyers.com